

On motion of Senator Brashear, the Senate adjourned until to-morrow 9 o'clock A. M.

SENATE CHAMBER, }
TUESDAY, April 7, 1848. }
9 o'clock A. M.

Senate met pursuant to adjournment---roll called and a quorum present.

The Journal of the preceding day was read and adopted.

Senator Jewett presented the petition of R. M. Williamson, praying for a duplicate land certificate. Referred to committee on Public Lands.

Senator Scott, Chairman of the committee on Engrossed bills, reported as correctly engrossed, an act for vesting in the State escheated property.

Senator Scott, Chairman of the committee on Enrolled Bills, reported

An act to prohibit individuals from issuing bills, checks, promissory notes, or other paper to circulate as money;

An act amending the 8th and 11th sections of an act to incorporate Herman's University; approved January, 27th, 1844;

An act to authorize the Commissioner of the General Land Office, to issue patents in cases where land has been located in two surveys;

All being correctly enrolled, and signed by the Speaker and President *pro tem.* were this day presented to the Governor for his signature.

Senator Williams, Chairman of the committee on Public Lands, reported a substitute for a bill to legalize certain surveys in Bexar county, made by the surveyor of Bastrop county.

Select committee, A. H. Phillips Chairman, reported the bill to be entitled an act to organize the Supreme Court of the State of Texas, back to the Senate with amendments, as follow:

Substitute for 2nd section:

Be it further enacted, That the State of Texas shall constitute one Supreme Court District only, and said Court shall be holden once in each year only, to commence on the first Mon-

day in November in each year, and may continue in session until the first day of June next ensuing, unless the business the said Court shall be sooner disposed of; said Court shall hold its sessions at the city of Austin in the county of Travis

Strike out the third, fourth, fifth, sixth, seventh, eighth and tenth sections.

Strike out in the 11th section the word "each" in second line and insert the word "the"—strike out the word "district" in same line—strike out in fourth line the words "in their respective districts"—strike out in the 23rd line the words "shall be recorded in the office of the Clerk," and in 24th line "of the County Court of the county in which said Court may be holden."

Strike out in 22th section, tenth line, the words "record and."

Strike out in 13th section, first line the word "each" and insert the word "the," and in second line the word "district"

Strike out in 16th section, first line, the word "each" and insert "the."

Strike out in 18th section, second line, the word "each" and insert "the."

Strike out the 19th section.

Report adopted.

Senator Williams, Chairman of the select committee to whom was referred a bill to release the county of Fannin of a portion of the debt &c., reported the same back with amendments, and recommended its passage.

Substitute for the caption: "A bill to apportion in part the public debt of the county of Fannin, between the new counties created within the former limits of the same."

Substitute for first section:

SECTION 1. *Be it enacted by the Legislature of the State of Texas,* That all legal and just debts, claims or demands, due to or held by citizens that reside in the new counties of Grayson, Collin, Hunt, or Denton, against the county of Fannin, shall be audited by the County Court of Fannin county, but the same shall be paid by the new county in which the holder resides.

Adopted.

Senator Scott, one of the select committee to whom was referred a bill to secure to the State of Texas, the customs' revenue received or incurred under the laws of the Republic of Texas, reported the same back with the following amendment and recommended its passage:

Insert at the end of 20th line, 2nd section, "Governor of the State and."

Adopted.

Senator Bagby introduced a bill to prevent slaves from hiring their own time.

ORDERS OF THE DAY.

A bill to classify the liabilities of the Republic of Texas, being under consideration on the adjournment, Senator Wallace offered the following amendment:

That the liabilities of what character or denomination soever, issued as contemplated in the 1st section, and not embraced in the 1st or 2nd class, shall compose the 3rd class, and shall be paid at the rate of ten per centum, on the principal and interest thereupon purporting to be due.

On motion, "interest" stricken out and bill and amendments laid on the table until Monday.

A bill to be entitled an act for the discharge of the public debt of the Republic of Texas.

Senator Jewett moved to strike out the enacting clause of the bill.

Senator Cuney moved to postpone the further consideration of the bill to the 4th of July next.

Yeas and nays being called, stood:

Yeas. Senators, Bagby, Bourland, Brashear, Burleson, Cuney, Grimes, Hogg, Jewett, McNeel, Miller, Phillips, Robinson, Scott, Wallace, Williams, Williamson and Wood.—17.

Nays. Senators, Kinney, McKinney, Navarro, and Parker.—4.

Carried.

Joint resolution, for the sale of the public domain, being the special order of the day.

Senator Phillips moved to strike out the words "providing for the sale" and insert the word "relating." Carried.

Senator Jewett moved to strike out the enacting clause.

Senator McNeel moved a call of the Senate. Carried.

Roll called, and further call suspended.

Senator McNeel moved to postpone the bill until the 1st day of July next.

Yeas and nays stood thus:

Yeas. Senators, Bourland, Brashear, Cuney, Grimes, Hogg, Jewett, McNeel, Miller, Phillips, Robinson, Williamson, and Wood.—12.

Nays. Senators, Bagby, Burleson, Kinney, McKinney, Navarro, Parker, Scott, Wallace, and Williams.—9.

Carried.

Senator Phillips gave notice that he would move a reconsideration of the vote.

A message was received from the House, informing the Senate, that the House insist on their amendments to a bill to provide for the enumeration of the inhabitants of the State of Texas—and had passed the Senate's bill with amendments, to connect Galveston Island with the main land at Virginia Point—and had passed

A bill to create the county of Navarro.

A bill to provide for closing the business of the late War Department.

And recede from their amendments to a bill creating the county of Smith, and a bill to create the county of Cherokee.

And had passed the following bills originating in the Senate:

A bill to organize Justices' Courts, and define the powers and jurisdiction of the same.

A bill to incorporate Lamar Academy, with amendments—also.

A bill to incorporate Duval Academy in the county of Fannin.

And had passed a bill regulating juries.

Senator Robinson introduced a joint resolution, prescribing the mode of notifying the Governor, when a bill creating a private corporation, has constitutionally passed the Legislature. Read 1st time.

A bill to be entitled an act for the liquidation and adjustment of the public debt. Laid on the table until to-morrow 11 o'clock.

The following bills were read 3rd time and passed:

Bill to require Notaries Public to procure seals of office.

A bill to designate and officially name who shall be conservators of the peace.

A bill to provide for serving writs or other process, on Sheriffs.

A bill to regulate motions for costs in civil actions.

A bill for the relief of purchasers of town, city, or other lots, from the Republic.

A bill defining the duties of the Secretary of State.

Resolution relative to the introduction of new business after the 10th inst. Laid on the table until the 22nd inst.

An act to create the county of Titus. Laid on the table until to-morrow.

An act organizing Probate Courts. Laid on the table.

A bill to organize the District Courts of the State of Texas. Senator Wood moved to insert "State" at the end of 10th section. Carried.

Senator Jewett offered the following as an additional section:

That all former laws and parts of laws conflicting herewith, be and the same are hereby repealed. Adopted.

Senator Parker offered the following amendment:

Insert at the end of last section "and this act shall take effect from and after its passage." Adopted.

Senator Bourland moved to lay the bill on the table until Saturday. Lost.

Senator Robinson offered the following amendment:

Insert in 8th section, "Provided that in any case, suit may be commenced in any county where the debt was contracted, or the obligation entered into." Lost.

Bill read 3rd time and passed.

A bill to provide for the transfer of judicial proceedings from old to new counties. On report of the Judiciary committee—amendment rejected.

Senator Phillips moved to insert at the end of 5th section—

"In which counties the business on the several dockets shall be completed where the same was commenced, according to the law regulating other cases." Adopted.

Senator Scott offered the following amendment:

In 4th section strike out the words "the party injured" and insert "the State." Carried.

Senator Jewett moved to strike out the words "the Clerk of the County Court," wherever it occurs in the bill.

Carried and bill ordered to be engrossed.

A bill to repeal "an act additional to an act to regulate the proceedings in civil suits, approved February 5th, 1840."

Senator Scott offered a substitute for the caption, "a bill to repeal an act approved the 27th June, 1845, additional to an act to regulate the proceedings in civil suits approved 5th February, 1840." Adopted, and on motion, bill referred to Judiciary committee.

A bill for the relief Nathaniel Amory. Read 2nd time, and referred to committee on Claims and Accounts.

A bill to prevent Justices of the Peace, Clerk's of the District, County and Probate Courts, from issuing execution for

costs, only in civil actions. Read 2nd time, and referred to Judiciary committee.

A bill to authorize the Governor to demand and receive all monies due the State from the United States. Ordered to be engrossed.

On motion of Senator Williamson, the Senate adjourned until to-morrow 9 o'clock.

SENATE CHAMBER, }
WEDNESDAY, April 8, 1846. }
9 O'CLOCK A. M.

Senate met pursuant to adjournment, roll called and a quorum present.

Journals of the preceding day read and adopted.

Senator Parker, Chairman of the committee on Indian Affairs, to whom was referred a bill to repeal an act to provide for the establishment of peace, and to regulate friendly intercourse with Indians, approved 14th January, 1843, reported the same back to the Senate, and recommended its rejection.

Report adopted.

On motion of Senator Bagby, the Senate proceeded to the consideration of the

ORDERS OF THE DAY.

A bill for the liquidation and adjustment of the public debt.

Senator Wallace offered the following as a substitute for the 1st section:

Be it enacted by the Legislature of the State of Texas, That a commission of three persons, shall be appointed by the Governor with the consent of the Senate, for the purpose of examining all outstanding claims, and unpaid claims of whatsoever nature or description, whether held by citizens of Texas or other persons, against the Republic of Texas; and it shall be the duty of the Commissioners to report their proceeding to the next Legislature.

Yeas and nays stood thus:

Yeas. Senators, Bagby, Bourland, Brashear, Cuney, Hogg, Jewett, McNeel, Miller, Robinson, Scott, Wallace and Williams—12.